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October 17, 2017

Hon. Frank P. Geraci, Jr.  
Chief United States District Judge  
U.S. Courthouse  
100 State Street  
Rochester, New York 146142

**Original Filed by ECF**

RE: *United States v. Emanuel Lutchman*, 16-cr-06071

Dear Judge Geraci, Jr.,

I am an attorney with the Federal Defenders of New York and was appointed by the Second Circuit Court of Appeals to represent Mr. Emanuel Lutchman in his appeal of his conviction and sentence imposed in the United States District Court for the Western District of New York following a guilty plea to conspiracy to materially support a terrorist organization under docket number 16-cr-06071. After filing the notice of appeal, Mr. Lutchman's original attorney moved to be relieved and the Second Circuit granted the motion, appointing the Federal Defenders of New York as counsel for the appeal. Mr. Lutchman's appeal is currently pending and his appellate brief is due on December 10, 2017.

On September 25, 2017, Mr. Lutchman filed a *pro se* "motion to rescind the plea agreement for just cause" in district court. Your Honor set a briefing schedule, ordering that the government respond to the motion by November 6, 2017, and that Mr. Lutchman reply 15 days afterward. I am writing to respectfully request that your Honor stay any further briefing or consideration of Mr. Lutchman's motion until the appellate process is concluded.

Mr. Lutchman, who is serving a 20-year prison term, will not be prejudiced by this delay in consideration of his motion and joins in this request.

Waiting for further briefing and consideration of the *pro se* motion until the appeal is final will conserve judicial resources and will not prejudice the parties. I have notified A.U.S.A. Brett Harvey via email of this request.

We request, therefore, that a stay be granted until Mr. Lutchman's direct appeal is resolved. Once Mr. Lutchman's appeal is resolved, we request that the Court grant us 30 days to provide a status update to the court regarding the *pro se* motion.

Respectfully submitted,

/s/

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